

April 9, 2009

H 1322. PROBATIONARY TEACHER APPEALS (=S 962). Filed 4/8/09. *TO MODIFY THE HEARING PROCESS APPLICABLE TO PROBATIONARY TEACHERS.*

Identical to S 962, filed 3/25/09.

Intro. by Jeffus.

GS 115C

May 13, 2009

H 1322. PROBATIONARY TEACHER APPEALS. Filed 4/8/09. House committee substitute makes the following changes to 1st edition.

Amends GS 115C-325 to provide that a teacher has a right to notice and hearing prior to the local school board's (board) vote as provided in GS 115C-325(m)(7) on whether to grant the teacher career status. Directs the board to provide the written notice by June 15 or by a later date as provided in GS 115C-325(m)(7). Provides that if the board does not vote on granting career status the teacher is entitled to an additional month's pay for every 30 days or portion thereof after June 16 or a later date as provided in GS 115C-325(m)(7) if a majority of the board belatedly votes against granting career status.

Requires the superintendent of the local school administrative unit to provide written notice to a probationary teacher no later than May 15 (was, May 1) that includes the superintendent's intent to recommend non-renewal and the teacher's right, within 10 days of receipt of the superintendent's recommendation, (1) to request and receive written notice of the reasons for the superintendent's recommendation for non-renewal and the information that the superintendent may share with the board in support of the recommendation and (2) to request a hearing if the teacher is eligible for a hearing under GS 115C-325(m)(4). Provides that failure to make a timely request within 10 days results in a waiver of the right to the information and any right to a hearing. Provides additional guidelines regarding the hearing process.

Provides that if the superintendent recommends not to give career status to a probationary teacher eligible for career status pursuant to GS 115C-325(c)(1) and (2), then the probationary teacher has the right to a hearing before the board unless the reason for the recommendation is a justifiable board or superintendent approved decrease in the number of positions due to district reorganization, decreased enrollment, or decreased funding. Applies to proceedings initiated after August 31, 2010.

Provides that if a probationary teacher recommended for non-renewal submits a request for a hearing or information, the board is to provide the notification of non-renewal by July 1 or a later date with the written consent of the probationary teacher and the superintendent.

Permits a probationary teacher whose probationary contract is not in the final year before the probationary teacher becomes eligible for career status and who has been recommended for non-renewal to petition the local board for a hearing. Provides that the local board may choose to grant a hearing and directs the board to notify the probationary teacher making the petition of its decision as to whether to grant a hearing.

May 14, 2009

H 1322. PROBATIONARY TEACHER APPEALS. Filed 4/8/09. House amendment makes the following changes to 2nd edition. Makes technical change only.